IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7228 OF 2005.

Shri Vinodbhai Dhanji. ... Petitioner.
V/s.
M/s.Ruby Builders. ... Respondent.

O.P.Pandey i/b. M/s.Pandey & Co.
for the petitioner.

S.N.Vaishnawa i/b. M/s.N.N.Vaishnawa & Co.
for the respondent.

CORAM: V.C.DAGA, J.

DATED: 15th December 2005.

P.C.:

. On the motion made by learned counsel for the petitioner, petitioner is allowed to withdraw this petition with liberty to challenge the impugned order, if, ultimately, he suffers an adverse final order in the suit and he is required to approach higher forum. All rival contentions are kept open.

. Reserving the aforesaid liberty in favour of the petitioner, petition is dismissed as withdrawn with no order as to costs.

(V.C.DAGA, J.)